



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: DiDomenico, *et al.*

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#6
Di. Scott
12-14-01

For: EXHAUST OPACITY MEASURING DEVICE

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Affidavit In Support Of An Information Disclosure Statement

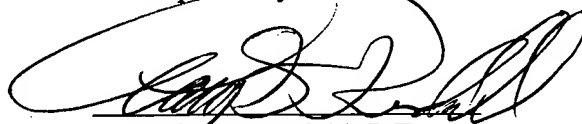
To Whom it May Concern:

I, Craig S. Rendahl, state as follows:

1. I am co-inventor on the above identified patent application.
2. I attest that from April 01, 1996 to August 06, 1999 I was employed in Tucson, Arizona, by Remote Sensing Technologies, Inc., (RSTi), which later became Envirotech Systems Corp, as a Senior Systems Software Engineer.
3. I attest that I am no longer an employee of Envirotech Systems Corp or any successor in interest thereof.
4. I attest that I performed diesel opacity testing with a diesel powered Cadillac Seville in June of 1997. During that testing, I established a correlation between the Remote Sensing Detector's (RSD's) opacity measuring capabilities with an Andros portable opacimeter. I further attest that I authored a report on this study (hereinafter the "June 1997 report").
5. I attest that I gave Richard Countess a copy of the June 1997 report. I cannot recall when this occurred, but it probably occurred during one of my trips to Taiwan in the spring of 1998.
6. I attest that Jeff Vogt and Mr. Mori both received copies of the June 1997 report and distributed the June 1997 report to potential clients in the Far East.

7. I attest that RSTi was commercializing RSD units with the same opacity sensing capabilities that were documented in the June 1997 report a significant amount of time prior to the issuance of the report.
8. I attest that opacity sampling capability was in RSTi systems since 1995. In 1995 an RSD unit was shipped to Korea with the opacity sensing capability activated and reporting in the Ringlemann units.
9. I attest that in June of 1997, a remote sensing device (RSD) system was assembled for the same Korean client and delivered by Jim Johnson, who was also employed by Envirotech at that time. I cannot recall the all of the details of the RSD unit that was delivered, however the system did have the opacity detection capabilities.
10. I attest that the twelve (12) RSD units constructed for the California On Road Emission Measuring Systems ("CA OREMS") had the opacity sampling capability in both the hardware and software of the units, even though the opacity data was not provided to California Bureau of Automotive Repairs ("CA BAR"). The CA OREMS program ran from summer 1995 to April 1997.
11. I attest that the City of Albuquerque received two RSD systems sometime in 1995. Both of the units had the opacity sensing capabilities in hardware and software, but I do not know if they were activated.
12. I attest that all of the Taiwan RSD systems (ten (10) total) had opacity sampling capabilities that were activated. First shipments to Taiwan were in February of 1998. I know this because I traveled to Taiwan to set up the systems after they were received in Taiwan.
13. I attest that Jim Johnson and John DiDomenico (both employees of Envirotech at that time) took a unit to William Chang in Taiwan in August of 1997 that had opacity sensing capabilities.
14. I attest that I tightened the noise limits on the opacity sensors after the June 1997 report, and added flagging of the noise dependant data for the software used with the RSD units.
15. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



Craig S. Rendahl, P.E.

Date: 11/06/01